

MINUTES

IMPERIAL BEACH CITY COUNCIL REDEVELOPMENT AGENCY PLANNING COMMISSION PUBLIC FINANCING AUTHORITY

MARCH 4, 2009

**Council Chambers
825 Imperial Beach Boulevard
Imperial Beach, CA 91932**

***CLOSED SESSION MEETING – 5:30 P.M.
REGULAR MEETING – 6:00 P.M.***

CLOSED SESSION CALL TO ORDER BY MAYOR

MAYOR JANNEY called the Closed Session Meeting to order at 5:31 p.m.

ROLL CALL BY CITY CLERK

Councilmembers present:	McCoy, McLean
Councilmembers absent:	King
Mayor present:	Janney
Mayor Pro Tem present:	Bragg

Staff present:	City Manager Brown; City Attorney Lough; City Clerk Hald
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CLOSED SESSION

MOTION BY MCCOY, SECOND BY BRAGG, TO ADJOURN TO CLOSED SESSION UNDER:

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government Code Section 54956.9(b)
Number of Potential Cases: 1

MOTION CARRIED UNANIMOUSLY.

MAYOR JANNEY adjourned the meeting to Closed Session at 5:32 p.m. and he reconvened the meeting to Open Session at 6:00 p.m. Reporting out of Closed Session, MAYOR JANNEY announced Council met earlier in Closed Session and had no reportable action.

REGULAR MEETING CALL TO ORDER

MAYOR JANNEY called the Regular Meeting to order at 6:01 p.m.

ROLL CALL

Councilmembers present:	McCoy, King, McLean
Councilmembers absent:	None
Mayor present:	Janney
Mayor Pro Tem present:	Bragg

Staff present: City Manager Brown; City Attorney Lough;
City Clerk Hald

PLEDGE OF ALLEGIANCE

MAYOR JANNEY led everyone in the Pledge of Allegiance.

AGENDA CHANGES

None.

MAYOR/COUNCIL REIMBURSEMENT DISCLOSURE & COMMUNITY ANNOUNCEMENTS

COUNCILMEMBER MCCOY spoke about a request from the San Diego County Commission on Children, Youth and Families for a proclamation in support of Child Abuse Prevention Month; and she reported on the Borders meeting where they discussed problems experienced by pedestrians when crossing the San Ysidro Port of Entry.

COUNCILMEMBER MCLEAN spoke about attending a grand opening event for the completion of a condominium development and thanked Community Development Director Wade and his staff for their work on the project, he also discussed a presentation by Dr. Mike McCoy and Councilmember McCoy on the history of the Tijuana Estuary, the Chamber Breakfast meeting, and a tour of the Job Corps facility; he announced that there will be a series of family story times at the Imperial Beach library featuring special guests, such as the I.B. Lifeguards, I.B. Postmaster, I.B. Sheriff's Captain; the Bayshore Bikeway ribbon cutting is scheduled for April 4; FedEx is having a Fortune 500 grand opening; and small business loans are available from the South County Economic Development Council.

COMMUNICATIONS FROM CITY STAFF

CITY MANAGER BROWN announced the Army Corps of Engineers will deposit sand in mid-March; the Street Improvements – Phase 3A Project will begin next week; and the RFP/Q for the design of the Skate Park will be advertised next week.

PUBLIC COMMENT

JUNE ENGLE announced the I.B. Lifeguards led the family story time this morning and she presented a poster to thank the lifeguards for their efforts.

CONSENT CALENDAR (2.1 - 2.5)

MOTION BY BRAGG, SECOND BY MCLEAN, TO APPROVE CONSENT CALENDAR ITEM NOS. 2.1 THRU 2.5. MOTION CARRIED UNANIMOUSLY.

2.1 MINUTES.

Approved the minutes of the City Council meeting of January 21, 2009.

2.2 RATIFICATION OF WARRANT REGISTER. (0300-25)

Ratified the following registers: Accounts Payable Numbers 68100 through 68211 with the subtotal amount of \$311,609.41; and Payroll Checks 40745 through 40795 for the pay period ending 02/12/09 with the subtotal amount of \$143,500.13; for a total amount of \$455,109.54.

2.3 RESOLUTION NO. 2009-6718 – ADOPTING THE 2009 EDITION OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION (GREEN BOOK 2009), THE REGIONAL SUPPLEMENTS TO THE GREEN BOOK 2009, AND THE 2006 EDITION OF THE STANDARD PLANS FOR PUBLIC WORKS CONSTRUCTION. (0720-95)

Adopted resolution.

2.4 RESOLUTION NO. R-09-175 – APPROVING AGREEMENT WITH DR. DEMO DEMOLITION SERVICES FOR DEMOLITION OF SINGLE-FAMILY DWELLING AT 776 10TH STREET. (0640-20)

Adopted resolution.

2.5 LETTER OF SUPPORT FOR THE BAYSIDE BIRDING AND WALKING TRAIL. (0620-25)

Authorized sending the letter of support.

PRESENTATIONS (1.1)

1.1 CITY OF IMPERIAL BEACH 2008 ACCOMPLISHMENTS – PRESENTATION BY CITY MANAGER BROWN. (0100-10)

CITY MANAGER BROWN gave a PowerPoint presentation on the item.

City Council recognized City Manager Brown, Department Heads and staff for working well together as a team and for a job well done.

ORDINANCES – INTRODUCTION/FIRST READING/PUBLIC HEARING (3)

None.

ORDINANCES – SECOND READING & ADOPTION/PUBLIC HEARING (4.1)

4.1 ORDINANCE NO. 2009-1082 – SEACOAST INN: OWNER/APPLICANT: IMPERIAL COAST LIMITED PARTNERSHIP/PACIFICA COMPANIES RE: SPECIFIC PLAN AMENDMENT (GPA 03-095), DESIGN REVIEW (DRC 03-094), AND SITE PLAN REVIEW (SPR 03-093), FOR PROPOSED ROOFTOP PATIO/GARDEN AND HEIGHT LIMIT RELIEF FOR PROJECTIONS ON ROOF OF APPROVED HOTEL REDEVELOPMENT PROJECT LOCATED AT 800 SEACOAST DRIVE IN THE C-2 (SEACOAST COMMERCIAL) ZONE. MF 661. (0660-43)

MAYOR JANNEY declared the public hearing open.

CITY MANAGER BROWN reported on the item.

CITY CLERK HALD announced no speaker slips were submitted.

MAYOR JANNEY closed the public hearing and called for the second reading of the title of Ordinance No. 2009-1082.

CITY CLERK HALD read the title of Ordinance No. 2009-1082, an Ordinance of the City Council of the City of Imperial Beach, California, amending the Seacoast Inn Specific Plan (GPA 03-095) by deleting specified height limits that apply to qualified projections above the roofline for an approved 4-story, 78-room hotel located at 800 Seacoast Drive in the C-2 (Seacoast Commercial) Zone. MF 661.

MOTION BY MCCOY, SECOND BY MCLEAN, TO DISPENSE SECOND READING AND ADOPT ORDINANCE NO. 2009-1082 BY TITLE ONLY. MOTION CARRIED UNANIMOUSLY.

PUBLIC HEARINGS (5.1)

5.1 STEVE CHATFIELD, WIRELESS FACILITIES INC. FOR VERIZON WIRELESS (APPLICANT) / BIBBEY REVOCABLE FAMILY TRUST (OWNER); REGULAR COASTAL PERMIT (CP 070093), CONDITIONAL USE PERMIT (CUP 070094), DESIGN REVIEW CASE (DRC 070095), AND SITE PLAN REVIEW (SPR 070096) TO INSTALL A TELECOMMUNICATIONS FACILITY ON A NEW LIGHT STANDARD AND EQUIPMENT SHELTER LOCATED AT 911 SEACOAST DRIVE IN THE C-2 (SEACOAST COMMERCIAL) ZONE. MF 966. (0600-20)

MAYOR JANNEY declared the public hearing open;

CITY MANAGER BROWN introduced the item.

ASSISTANT PLANNER FOLTZ gave a PowerPoint presentation on the item.

In response to questions of Council, COMMUNITY DEVELOPMENT DIRECTOR WADE commented that existing streetlights located along Seacoast Dr. would be changed out with shepherd's hook light standards to match the streetlights at the Palm Ave. street end over time; that staff can work with the applicant during the building permit process on having the lattice work in the arch window and fence made out of vinyl, instead of metal and wood; with regard to concern expressed about the condition of the building, that there is no requirement to inspect the building; he added that from time to time commercial properties are inspected, but it is independent of this application; as to why the cell site was not placed in the Port's parking lot, he responded that the applicant for this project, as well as T-Mobile who recently had a cell site project approved by City Council, contacted the Port for use of their parking lot; the Port, however, was not interested.

MAYOR PRO TEM BRAGG spoke favorably about the improvements that would be made to the property.

COUNCILMEMBER KING noted that if a parking lot were considered for future co-location, it could look worse to have one area with a proliferation of antennas, rather than have them dispersed over a wider area.

MAYOR JANNEY questioned why the antenna at the top of the light post is so large compared to another antenna located on South Seacoast Dr.

ASSISTANT PLANNER FOLTZ responded that the light pole on South Seacoast Dr. only has one antenna and has a smaller coverage area, whereas this pole has three antennas that would cover the entire Seacoast area.

MAYOR JANNEY expressed concern about the rear building and questioned if someone were living in it and the purpose for two parking spaces.

STEVE CHATFIELD, applicant, stated that he concurs with staff's findings and recommendations and stated that Verizon agreed to the conditions of approval; with regard to the current uses of the property, they are proposing use of a portion of the property that is consistent with the zone; he noted that the parking stalls are not being installed for any particular purpose and that parking is not required in the C-2 Zone for that particular location; he addressed the change to Condition No. 2 and stated that it would not be a fair requirement for Verizon to relocate their facility should redevelopment of the site occur, he did not see a nexus between what is proposed and what is required in the condition; Verizon researched sites and concluded it was in their best interest to have a site at this location, and that there was a sense of urgency to get the site up.

MAYOR JANNEY stated that the entire City is a redevelopment area and that redevelopment could happen at the site in the future; he would not be in support of the item if the City incurred the cost of relocating the facility should redevelopment occur at the site; another concern raised is the possible habitation in the building located in the back of the property.

CITY ATTORNEY LOUGH suggested that the property owner address the question regarding residency.

MIKE BIBBEY, owner, stated that his father resides in the rear building.

COMMUNITY DEVELOPMENT DIRECTOR WADE stated that these kinds of issues would be addressed during the building permit process; he added that the residential area may be a legal non-conforming use if it preceded the zoning; he noted that this application did not require contact with the existing structure.

CITY ATTORNEY LOUGH agreed that Building Dept. staff would address these types of issues later on in the process.

MAYOR JANNEY closed the public hearing.

MOTION BY MCCOY, SECOND BY BRAGG, TO ADOPT RESOLUTION NO. 2009-6719 – APPROVING A REGULAR COASTAL PERMIT (CP 070093), CONDITIONAL USE PERMIT (CUP 070094), DESIGN REVIEW CASE (DRC 070095), AND SITE PLAN REVIEW (SPR 070096) WITH THE ADDITION OF “BY APPLICANT” TO NO. 2 OF CONDITIONS OF APPROVAL TO INSTALL A TELECOMMUNICATIONS FACILITY ON A NEW LIGHT STANDARD AND EQUIPMENT SHELTER LOCATED AT 911 SEACOAST DRIVE IN THE C-2 (SEACOAST COMMERCIAL) ZONE AS AMENDED. MF 966. MOTION CARRIED UNANIMOUSLY.

The following discussion ensued:

COMMUNITY DEVELOPMENT DIRECTOR WADE clarified that staff and the applicant had previous discussions regarding Condition No. 2; the applicant was comfortable with the wording as originally presented as the requirement was nebulous enough to not put the burden of relocation of the facility on Verizon, but on whomever was developing the property; it is clear that the City has always maintained the responsibility would not fall upon the City; he expressed concern as he understood the applicant stated that he did not agree to the amended language; he questioned if the applicant could request a continuance or withdraw the application; and if City Council voted to add the language, what would the applicant's recourse be other than finding another site.

CITY ATTORNEY LOUGH stated that the public hearing was closed and a vote was conducted; unless a Councilmember offers a motion to reconsider, the action is completed.

REPORTS (6.1 - 6.4)

6.1 REVIEW AND ADOPT COUNCIL'S STRATEGIC GOALS FOR 2009-2014 AS DISCUSSED AT THE JANUARY 2009 STRATEGIC PLANNING WORKSHOP. (0100-10)

CITY MANAGER BROWN reported on the item and stated that a follow-up workshop will be held the fourth week of March.

COUNCILMEMBER KING questioned if the list would include refined objectives.

CITY MANAGER BROWN stated that goals can be revisited during the Quarterly Workshops.

MOTION BY MCCOY, SECOND BY KING, TO ADOPT THE FINAL CITY OF IMPERIAL BEACH CITY COUNCIL STRATEGIC GOALS FOR 2009-2014. MOTION CARRIED UNANIMOUSLY.

6.2 APPROVING THE AWARD OF GRANTS UNDER THE 2009 COMMUNITY GRANTS PROGRAM. (0330-15)

CITY MANAGER BROWN announced for the record that he is a member of the Kiwanis Club and introduced the item.

ASSISTANT CITY MANAGER RITTER reported City Manager Brown did not participate in the formulation of the staff report and recommendation; he noted that the nine applications received met the qualifications and warranted grants and the excess amount of \$500 would be carried over to the next grant cycle; and he thanked EDCO for sponsoring the program.

MAYOR JANNEY recommended that the excess amount of \$500 be granted to the Friends of the IB Library, rather than be carried over to the next grant cycle.

MOTION BY JANNEY, SECOND BY MCCOY, TO APPROVE THE AWARD OF GRANTS UNDER THE 2009 COMMUNITY GRANTS PROGRAM AS FOLLOWS:

<u>Organization</u>	<u>Grant Amount</u>
Imperial Beach Little League (fee reductions, scholarships)	\$ 500
YMCA Camp Surf (scholarships to youths for Day Camp)	\$ 500
Friends of the IB Library (purchase books for library)	\$1,000
Ocean Blue Foundation (pet waste dispenser and bags)	\$ 500
Chamber of Commerce (Taste of I.B. by local businesses)	\$ 500
IB Seniors Club (bus trip to live stage production for seniors)	\$ 500
Kiwanis Club (Elementary Student of the Month Award)	\$ 500
South County Renaissance Project (2-day art exhibit)	\$ 500
<u>Optimist Club of I.B. (Kids n' Kastles Sandsculpting)</u>	<u>\$ 500</u>
Total:	\$5,000

MOTION CARRIED UNANIMOUSLY.

6.3 APPOINTMENT OF ALTERNATE TO SERVE ON THE MILITARY AFFAIRS SUBCOMMITTEE. (0120-64 & 0620-80)

MAYOR JANNEY spoke of the need for an alternate on the Military Affairs Subcommittee as there may be scheduling conflicts; he recommended the appointment of Councilmember McCoy as an alternate to the Military Affairs Subcommittee.

MOTION BY MCLEAN, SECOND BY KING, TO APPROVE MAYOR'S RECOMMENDATION TO APPOINT COUNCILMEMBER MCCOY AS AN ALTERNATE TO THE MILITARY AFFAIRS SUBCOMMITTEE. MOTION CARRIED UNANIMOUSLY.

6.4 TIDELANDS ADVISORY COMMITTEE APPOINTMENT TO FILL ONE (1) POSITION WITH A TERM EXPIRING DECEMBER 31, 2009. (0120-90)

MAYOR JANNEY announced a second resignation from the Tidelands Advisory Committee was recently received; the composition of the committee is currently set at seven members and suggested staff bring back for consideration a reduction to five members, similar to that of the Design Review Board; he further recommended that an appointment not be made at this time.

CITY ATTORNEY LOUGH suggested that the recommendation also include that with additional resignations received, the City Clerk is directed to not notice the vacancy until the number of members is determined.

MOTION BY JANNEY, SECOND BY MCCOY, TO BRING BACK THE TIDELANDS ADVISORY COMMITTEE COMPOSITION FOR DISCUSSION, AS WELL AS POSTPONE ADVERTISING OF VACANCIES. MOTION CARRIED UNANIMOUSLY.

MAYOR/COUNCIL REPORTS ON ASSIGNMENTS AND COMMITTEES

COUNCILMEMBER KING reported that at the SANDAG meeting they accepted a report that focused on long-range transportation options for optimizing the use of the airport at Lindbergh Field.

CITY MANAGER BROWN reported that at the COBRO Committee meeting they received an update on a cross-border airport terminal.

MAYOR JANNEY asked that on future agendas, all reports by Councilmembers (reimbursement disclosure, community announcements, and assignments and committees) be given at the beginning of the meeting; he also reported on cuts to MTS bus route 901.

ADJOURNMENT

MAYOR JANNEY adjourned the meeting at 7:47 p.m.

James C. Janney, Mayor

Jacqueline M. Hald, CMC
City Clerk